GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - E.F.S. & T. Department – Sri R. Kondala Rao, Deputy Conservator of Forests /Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle – Departmental Proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of Charge – Orders – Issued.

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ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.RT.No. 58 **Dated: 12-07-2021**

ORDER:

It is proposed to hold an inquiry against Sri R. Kondala Rao, Deputy Conservator of Forests /Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I) and the imputation of misconduct in support of each article of charge is enclosed (Annexure-II). A list of witnesses by whom the Articles of Charge are proposed to be sustained and a list of documents by which are also enclosed (Annexure-III and IV).

3. Sri R. Kondala Rao, Deputy Conservator of Forests is directed to submit a written statement of his defence within (10) days of the receipt of this order and also inform whether he desires to be heard in person before the undersigned.

4. Sri R. Kondala Rao, Deputy Conservator of Forests is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri R. Kondala Rao, Deputy Conservator of Forests is informed that, if he does not submit his written statement of defence on or before the date specified in Para-3 above, further action will be processed based on the material evidence available.

6. Attention of Sri R. Kondala Rao, Deputy Conservator of Forests is invited to Rule 24 of the A.P.C.S. (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri R. Kondala Rao, Deputy Conservator of Forests is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S. (Conduct) Rules, 1964.

7. The receipt of the Articles of Charge should be acknowledged on the duplicate copy enclosed and the said duplicate copy be returned to the undersigned immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

To
Sri R. Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle(in duplicate)
(Through the PCCF & HoFF, A.P., Guntur)

(P.T.O)

Copy to:
The Prl. Chief Conservator of Forests, & Head of Forest Force, A.P., Guntur.(He is requested to serve the Government orders on the Deputy Conservator of Forests, obtain his dated acknowledgments on the duplicate copy and re-submit the same to Government immediately).
The Environment, Forests, Science & Technology (Sec.V) Department.
SF/SC (Computer No.1144762)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI R.KONDALA RAO, DEPUTY CONSERVATOR OF FORESTS/DIVISIONAL FOREST OFFICER, LOGGING DIVISION, CHINTUR, RAJAHMUNDRY CIRCLE.

ARTICLES OF CHARGE

"That the said Sri R.Kondala Rao, Deputy Conservator of Forests /Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle had shown gross dereliction of duties by exhibiting indifferent, irresponsible, improper behaviour/attitude without maintaining discipline and decorum by sending advisory messages which are abusive and of threatening nature, through WhatsApp to the Superior Officers which amounts to **misconduct and violation of A.P.C.S. (Conduct) Rules, 1964".**

Thus, Sri R.Kondala Rao, Deputy Conservator of Forests /Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle by his above mentioned acts has exhibited lack of integrity, discipline, devotion to duty and conduct unbecoming of a Government servant and thereby, contravened Rule-3 of the A.P.C.S. (Conduct) Rules, 1964. Hence the charge.

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE–II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI R.KONDALA RAO, DEPUTY CONSERVATOR OF FORESTS /DIVISIONAL FOREST OFFICER, LOGGING DIVISION, CHINTUR, RAJAHMUNDRY CIRCLE.

Basis of the charge:-

Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur sent the following two (2) WhatsApp messages dt.03.08.2019 to Dr.Mohd. Ilyas Rizvi, IFS., former Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Guntur which are related to preparation of seniority lists of Dy.CFs and on implementation of the orders of Hon'ble APAT in O.A.no.1251/2018 filed by Sri R.Kondala Rao, Deputy Conservator of Forests.

1. WhatsApp message dt.03.08.2019:

"Good morning Sir, I am Kondala Rao, DFO LD Chintur.

Sir, I came to know that the seniority lists for Dy.CF from 01.01.2014 onwards are under preparation and my name is proposed to be kept below Sri N.Nageswara Rao, who is my immediate junior in ACF. In this regard kindly note the following.

1) The Hon'ble A.P.Administrative Tribunal, Hyderabad in O.A.no.1251/2018 gave order to keep my name above Sri N.Nageswara Rao from 2005-06 panel onwards with all consequential benefits from 2005-06 panel onwards above my immediate junior Sri N.Nageswara Rao. Benefits are not from the date of order.

2) Orders are in force. Sri N.Nageswara Rao filed Writ Appeal and I.A. and requested for stay. The Hon'ble High Court not agreed to grant stay. Hence APAT orders are in force. Not implementing and delay in administrative grounds is ok Sir. But putting my name below Sri N.Nageswara Rao without respect to Hon'ble Court orders is willful disobedience and willful contempt of Court Sir.

3) If Sir wants to do injustice to me, can get stay orders from High Court or ask Sri N.Nageswara Rao to get stay orders and then my name can be below N.Nageswara Rao.

4) Sir this type of action will give wrong message to junior level officers like CFs and DFOs to do in similar manner.

Please don't violate Sir. Hon'ble Court also may take serious for willful contempt. Thank you Sir".

2. WhatsApp message dt.03.08.2019:

"Good morning Sir, I am Kondala Rao DFO Logging Chintur. Sir, my promotion is deferred till termination of the disciplinary case. Now the disciplinary case is dropped. I am supposed to be appointed on my original place. IFS panels 2010, 2011 and 2012. I came to know that the PCCF Office is writing to Telangana PCCF. It is very unjustified. When the issue is dropped, what is the necessity of writing to Telangana PCCF. You people can harass me more if you can address to the Pakistan Prime Minister. I am very sorry sir for unjustified administration".

As Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur action in sending advisory messages to Senior Officers based on unreliable sources amounts to 'misconduct' and violation of administrative norms and an explanation was called for from Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur in Prl.CCF & HoFF., A.P., Guntur Ref.no.7998/2019/Vig-1 dt.05.09.2019. Sri

R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur instead of submitting his reply to the Explanation Memo., has again started giving WhatsApp messages to Sri N.Prateep Kumar, IFS., Prl.CCF & HoFF., A.P., Guntur from 04.01.2020 to 08.01.2020 requesting for his transfer from Chintur Logging Division and withdrawing of Govt. orders posting Sri N.NageswaraRao, IFS as Conservator of Forests, Rajahmundry which are of **intentional, cursing, blaming & threatening nature as follows**

1. WhatsApp message:

"Good evening Sir, Message from Kondala Rao to Prateep Kumar. I am sorry to say sir that under your corruption free administration, though I am senior, though the Honorable High Court Orders to place above him, I have to work under my junior who was in prison in a ACB case. Congratulations to your corruption free administration sir".

2. WhatsApp message:

"Sorry sir for sending such messages. I sent in a depressive mood. But sir unfortunate and grave injustice and suppressing".

3. WhatsApp message:

"I am sorry to say sir. I am taking back my words. Madhukar Raju sir is different and Prateep Kumar sir is different".

4. WhatsApp message:

"Sir, he will write my ACR. Sir, if you have minimum moral values, kindly transfer me for other place".

5. WhatsApp message:

"Sir, Mee yokka Anthahkaranasudhi….,Mee yokka Thrikaranasudhi…., Mee yokka Avinitirahita paalana……., Mee yokka commitment in doing justice…, Mee yokka commitment in implementing your words… Rajahmundry Circle lonu, AP lone kaka, Telanganalonu kuda marumrogupothondi sir……, Meeru naku chesthunna nyayaniki naku 2 rojuluga nidrapattatamledu sir..., Meeki Thagina phalithanni ivvalani meeku istamayina aa thirupati venkateshwara swami ventane ivvalani thrikarana sudhiga korukuntunnanu sir".

6. WhatsApp message:

"Paritranaya sadhunam vinasayacha duskrutam Dharma samsthapana ya sambhavami yuge yuge…."

7. WhatsApp message:

"Sir, actually, I thought of going on leave also, but I am incapable of getting any posting orders and I can't survive without salary and my children education will effect adversely. Kindly do justice. Nageswara rao is the key person in suppression and harassing me all admin ministerial staff of your office are his persons".

8. WhatsApp message:

"Sir, earlier one PCCF posted me in remote Chintur without post for claiming salary, without any office, without any infrastructure without any staff but allowed me to live. Present PCCF stated that, he is aware of the facts and he will be with me. Infact PCCF is not supposed to be with me. PCCF is supposed to be with Justice. Thank you sir for your justice. But remember sir, God is great and he will do justice. Only matter of time. Though it is late, we have seen the result in Nirbhaya case. I pray the god to give such justice".

9. WhatsApp message:

"Sir, if you want to wipe out the bad name of posting a corrupt person, please see that GO withdrawn. Otherwise shift me immediately and do justice".

Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur is in the habit of sending Whatsapp messages to the higher officials, on the issues which are under the competency of Government, causing embarrassing to them.

Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur had finally submitted his explanation dt.22.01.2020. Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur while denying the allegations made against him, had admitted that he regretted the action of submitting WhatsApp messages. In the conclusion, Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur requested the Prl.CCF & HoFF., A.P., Guntur not to harass him further and drop further action against him. The reply submitted by Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur was not at all convincing.

As could be seen from the above, it is quite obvious that though there are established procedures to put-forth the grievances before Head of the Department, Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur has deviated from such procedures violating A.P.C.S(Conduct) Rules,1964.

Sri R.Kondala Rao, Dy. Conservator of Forests being a Senior Officer and well aware of extant Government rules, should not have sent such advisory messages and messages which are blaming / threatening in nature to his Senior Officers. Hence, it is clear that Sri R.Kondala Rao, Dy.CF is in the habit of sending WhatsApp messages to higher Officers which shows his gross dereliction, indifferent, irresponsible and improper behavior/attitude towards discipline and decorum of Department.

Thus, Sri R.Kondala Rao, Deputy Conservator of Forests/Divisional Forest Officer, Logging Division, Chintur, Rajahmundry Circle by his above mentioned acts has exhibited lack of integrity, discipline, devotion to duty and conduct unbecoming of a Government servant and thereby, contravened Rule 3 of the A.P.C.S(Conduct) Rules,1964. **Hence the charge**".

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – III

LIST OF WITNESSES

-NIL-

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE–IV

LIST OF DOCUMENTS

1. Copies of the two whatsapp messages dt.03.08.2019 sent by Sri R.Kondala Rao, Dy.CF to the former Prl.CCF & HoFF., A.P. Guntur.
2. Prl.CCF & HoFF., A.P., Guntur Rc.no.7998/2019/Vig-1, dt.05.09.2019.
3. Prl.CCF & HoFF., A.P., Guntur Rc.no.7998/2019/Vig-1, dt.18.01.2020.
4. Copies of the whatsapp messages sent by Sri R.Kondala Rao, Dy.CF to the Prl.CCF & HoFF., A.P., Guntur from 04th to 8th January-2020.
5. Prl.CCF & HoFF., A.P., Guntur Rc.no.7998/2019/Vig-1, dt.16.03.2020.

VIJAY KUMAR G.Srkr
SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

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